



U.S. Department of Justice

United States Attorney  
Southern District of New York

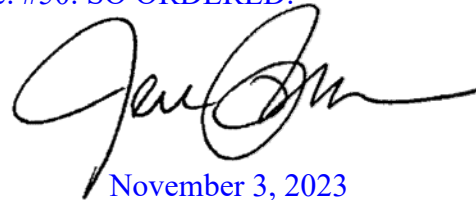
The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

November 2, 2023

**BY ECF**

The Honorable Jesse M. Furman  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Application GRANTED. The Clerk of Court is directed to  
terminate Doc. #50. SO ORDERED.



November 3, 2023

Re: **United States v. Jose Irizarry**, 23 Cr. 60 (JMF)

Dear Judge Furman:

The Government respectfully writes to request a one-week extension of its November 3, 2023 deadline to respond to the defendant's October 30, 2023 letter regarding remand under Title 18, United States Code, Section 3143(a)(2). (*See* Dkt. 45, 47). In support of his argument for continued bail, the defendant claims "exceptional reasons" exist under Title 18, United States Code, Section 3145, because he is currently being treated for "cardiac distress" and is contemplating "open heart surgery" in consultation with a cardiologist.<sup>1</sup> (Dkt. 47 at 2). The defense has informed the Government that the defendant is scheduled to receive further testing tomorrow, November 3, 2023, which may determine his subsequent diagnosis and treatment. The Government therefore seeks a one-week adjournment of its submission to November 10, 2023, so that it may review the results of those tests, which defense counsel has agreed to provide as soon as practicable, and consult as needed with the Bureau of Prisons before filing its response. The defense consents to this application.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

by: /s/ Micah F. Fergenson  
Micah F. Fergenson  
Mitzi Steiner  
Assistant United States Attorneys  
(212) 637-2190 / -2284

cc: Andrew Dalack, Esq. (by ECF)

<sup>1</sup> While the Government had several discussions with defense counsel regarding remand leading up to the October 20 plea, the Government had not been advised of any medical issue until the October 30 letter.